

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C.R. BARD, INC.
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL No. 2187

THIS DOCUMENT RELATES TO

Vilma Velarde, et al. v. C.R. Bard, Inc., et al.

2:14-cv-02093

MEMORANDUM OPINION AND ORDER

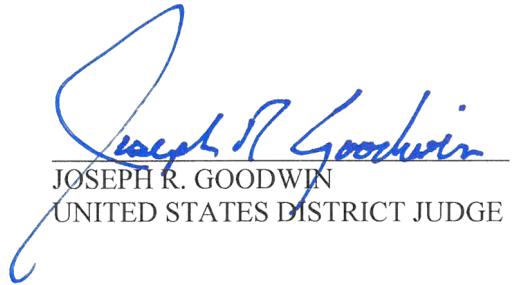
On August 14, 2019, I granted a motion to show cause filed by Tissue Sciences Limited (“TSL”) and C.R. Bard, Inc. (“Bard”). [ECF No. 18]. In the Show Cause Order, I directed plaintiffs to show cause on or before August 28, 2019, why their case should not be dismissed for failure to comply with court orders, including the failure to serve a Plaintiff Fact Sheet or Expert Disclosure as required by Pretrial Order # 297. I warned that should plaintiffs fail to respond, they risks the entry of an award of sanctions up to and including dismissal of their case. Plaintiffs did not respond or otherwise show cause.

The court finds, pursuant to Rules 16 and 37 of the Federal Rules of Civil Procedure and after weighing the factors identified in *Wilson v. Volkswagen of Am., Inc.*, 561 F.2d 494, 503-06 (4th Cir. 1977), that this case should be dismissed without prejudice for plaintiffs’ failure to respond to the Show Cause Order and otherwise comply with discovery deadlines in compliance with the court’s previous pretrial and other orders.

Therefore, the court **ORDERS** that the defendants, TSL and Bard, are dismissed without prejudice. No other defendants remain and this case is stricken from the docket and closed.

The court **DIRECTS** the Clerk to send a copy of this order to counsel of record and any unrepresented party.

ENTER: August 29, 2019


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE